

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

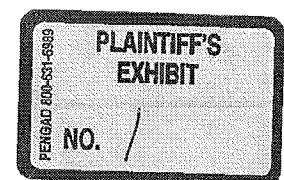
In re:	:	
	:	Case Number 12-60636
	:	
GEORGE MICHAEL RILEY, SR.	:	Judge John E. Hoffman, Jr.
	:	
Debtor.	:	Chapter 7
	:	

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COMMODORE BANK	:	Adversary Proceeding
	:	No. 13-ap-02094
Plaintiff,	:	
	:	
	:	AMENDED
v.	:	NOTICE OF DEPOSITION
	:	
GEORGE MICHAEL RILEY, SR.,	:	
	:	
Defendant.	:	

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Plaintiff hereby provides notice that it will take the deposition of a person most knowledgeable at Ohio Rock Industries, Ltd. relative to the items listed on the attached Exhibit A on Friday, September 20, 2013 at 10:00 a.m. at the offices of Dinsmore & Shohl, LLP, 191 West Nationwide Boulevard, Columbus Oh 43215, OH 43215. You are invited to attend and participate.



Respectfully submitted,

DINSMORE & SHOHL LLP

/s/ Tim J. Robinson

Tim Robinson (OH# 0046668)  
191 W. Nationwide Blvd., Suite 300  
Columbus, OH 43215  
Telephone: (614) 628-6880  
Facsimile: (614) 628-6890  
[tim.robinson@dinsmore.com](mailto:tim.robinson@dinsmore.com)

and

Gary E. Becker (OH# 0012716)  
255 E. Fifth Street, Suite 1900  
Cincinnati, OH 45202  
Telephone: (513) 977-8200  
Facsimile: (513) 977-8141  
[gary.becker@dinsmore.com](mailto:gary.becker@dinsmore.com)

*Counsel for Plaintiff, Commodore Bank*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 4, 2013, I electronically filed the foregoing *Notice of Deposition* with the Clerk of Courts using the CM/ECF system, which will send notification of such filing to:

Michael T Gunner, Esq.  
3535 Fishinger Boulevard, Ste. 220  
Hilliard, OH 43026  
*Counsel for Debtor/Defendant*

Frederick L. Ransier, III, Esq.  
Vorys, Sater, Seymour and Pease LLP  
52 East Gay Street  
Columbus, OH 43215  
*Trustee*

and that each of the above persons were also served via U.S. Mail on September 4, 2013.

/s/ Tim J. Robinson

Tim J. Robinson (0046668)

EXHIBIT A

Pursuant to Federal Rules of Civil Procedure 30 and 45, Plaintiff Commodore Bank ("Commodore") requests that you designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on behalf of Ohio Rock Industries, Ltd. about the matters set forth herein at the place, date, and time specified in the subpoena.

DEFINITIONS AND INSTRUCTIONS

A. "You," or "your" or "Ohio Rock Industries" shall refer to "Ohio Rock Industries, Ltd." including, but not limited to, your present and former employees, officers, directors, affiliates, parents, subsidiaries, attorneys, agents, or other representatives.

B. "Commodore" refers to Commodore Bank, Plaintiff in this action, including but not limited to, its present and former employees, agents, representatives, affiliates, or related entities.

C. "George Michael Riley, Sr." refers to George Michael Riley, Sr., a.k.a. Mike Riley, Debtor and Defendant in this action, including anyone acting on his behalf.

D. "Person(s)" includes, but is not limited to, a natural person, firm, association, organization, partnership, business, joint venture, trust, corporation, public entity and every form and kind of entity. Reference herein to "person" includes the agents, employees, attorneys, accountants, investigators, and representatives of any such "person" and anyone acting or purporting to act for or on behalf of such person.

E. The terms "documents" or "document" shall include, without limitation, any and all written, handwritten, printed, mimeographed, lithographed, duplicated, typed or other graphic, photographic, or electronic matter of any kind, including all forms of data compilation from which information may be obtained. "Document" or "documents" includes any original or copy, and all drafts thereto, and shall include all sound recordings, sound and video recordings,

video or film recordings, photographs, pictures, letters, reports, analyses, notes, notebooks, work orders, collection notices, work logs, telegrams, telexes, facsimiles, transmission cover sheets, electronic mail, correspondence, tape recordings, contracts, notices, agreements, calendars, diaries, logs, forms, policy manuals or binders, memoranda, memorializations of telephone or personal conversations or of meetings or conferences, minutes, interoffice communications, books, business records, receipts, sales slips, sales tickets, return tickets, canceled checks, check stubs, financial statements, ledgers, money orders, estimates, invoices, bills, personal records, transcripts, affidavits, declarations under penalty of perjury, unsworn statements, diagrams, schematics, blueprints, renderings, sketches, graphs, or charts. "Document" or "documents" shall include all copies which are different from the original, whether by mark, symbol, comment, notation, interlineation, receipt stamp, indication of copies sent or received, or otherwise, on the front or back of any such document.

F. "Communication" shall include all correspondence, including, but not limited to, any face-to-face conversation, meeting, conference, telephone conversation, telephone conference, or communication by the use of any medium, as well as any written, taped, computerized, or recorded conversation of any kind whatsoever, including facsimile, telex transmissions, and electronic mail.

#### TOPICS OF DEPOSITION

1. The corporate bank accounts and credit cards of Ohio Rock Industries since April 2011.
2. Ohio Rock Industries relationship and communications with George Michael Riley, Sr. since April of 2011;
3. All persons employed by Ohio Rock Industries since April of 2011;

4. Authority of George Michael Riley, Sr. to conduct business on behalf of Ohio Rock Industries since April 2011;
5. The ownership of Ohio Rock Industries since April 2011;
6. The officers of Ohio Rock Industries since April 2011;
7. The directors of Ohio Rock Industries since 2011;
8. The current assets, liabilities and net worth of the Ohio Rock Industries;
9. The distribution of Ohio Rock Industries assets since April 2011;
10. All business transactions of Ohio Rock Industries since April 2011;
11. Authority of Ohio Rock Industries to transact business in states other than Ohio;
12. Persons with authority to access funds on behalf of Ohio Rock Industries; and
13. Persons authorized to prepare and sign tax records on behalf of Ohio Rock Industries.

Doc ID --> 201112401346



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
05/05/2011	201112401346	ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO. (LCP)	\$25.00	.00		.00	.00

**Receipt**

This is not a bill. Please do not remit payment.

ZACKS LAW GROUP, LLC  
33 S. JAMES ROAD - 3RD FL  
COLUMBUS, OH 43213

**STATE OF OHIO  
CERTIFICATE**

Ohio Secretary of State, Jon Husted

2018072

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

**OHIO ROCK INDUSTRIES, LTD.**

and, that said business records show the filing and recording of:

Document(s)  
ARTICLES OF ORGNZTN/DOM. PROFIT LIM.LIAB. CO.

Document No(s):  
201112401346

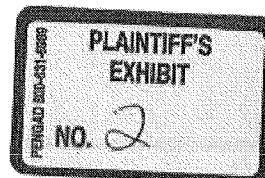


United States of America  
State of Ohio  
Office of the Secretary of State

Witness my hand and the seal of  
the Secretary of State at Columbus,  
Ohio this 2nd day of May, A.D.  
2011.

*Jon Husted*

Ohio Secretary of State



Doc ID -->

201112401346



Form 533A Prescribed by the:  
Ohio Secretary of State

Central Ohio: (614) 466-3910  
Toll Free: (877) SOS-FILE (767-3453)

www.sos.state.oh.us  
Busserv@sos.state.oh.us

Expedite this form: (select one)  
Mail form to one of the following:

☐ Expedite PO Box 1390  
Columbus, OH 43216

**\*\*\* Requires an additional fee of \$100 \*\*\***

☐ Non Expedite PO Box 670  
Columbus, OH 43216

**ARTICLES OF ORGANIZATION FOR A DOMESTIC  
LIMITED LIABILITY COMPANY**

Filing Fee: \$125.00

(CHECK ONLY ONE (1) BOX)

(1) ☒ Articles of Organization for Domestic  
For-Profit Limited Liability Company  
(116-LCA)  
ORC 1705

(2) ☐ Articles of Organization for Domestic  
Nonprofit Limited Liability Company  
(116-LCA)  
ORC 1705

CLERK  
SERVICE CENTER

2011 MAY -2 PM 4:24

RECEIVED  
SECRETARY OF STATE

Name of limited liability company

Ohio Rock Industries, Ltd.

Name must include one of the following words or abbreviations: "limited liability company," "limited," "LLC," "L.L.C.," "Ltd.," or "Ltd."

Effective Date

(Optional)

mm/dd/yyyy

(The legal existence of the limited liability company begins upon the filing  
of the articles or on a later date specified that is not more than ninety days  
after filing)

This limited liability company shall exist for

(Optional)

Perpetual unless sooner pursuant to Operating Agreement

Period of Existence

Purpose

(Optional)

The purpose for which the limited liability company is formed is to engage in  
any lawful act or activity for which limited liability companies may be formed  
under Chapter 1705 of the Ohio Revised Code.

☐ Check here if additional provisions are attached

Form 533A

Page 1 of 5

Last Revised: 8/21/08

Doc ID --> 201112401346

### ORIGINAL APPOINTMENT OF AGENT

The undersigned authorized member(s), manager(s) or representative(s) of

Ohio Rock Industries, Ltd.

Name of Limited Liability Company

hereby appoint the following to be Statutory Agent upon whom any process, notice or demand required or permitted by statute to be served upon the limited liability company may be served. The name and address of the agent is

Marcus D. Dunn

Name of Agent

33 S. James Road, 3rd Floor

Mailing Address

Columbus

City

Ohio

State

43213

Zip Code

☐ If the agent is an individual and using a P.O. Box, check this box to certify the agent is an Ohio resident.

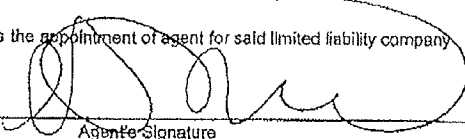
### ACCEPTANCE OF APPOINTMENT

The undersigned, named herein as the statutory agent for

Ohio Rock Industries, Ltd.

Name of Limited Liability Company

hereby acknowledges and accepts the appointment of agent for said limited liability company

  
Agent's Signature

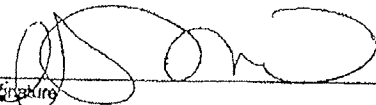


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By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document on behalf of the limited liability company identified above.

**REQUIRED**

Articles and original appointment of agent must be authenticated (signed) by a member, manager or other representative.

  
Signature

4-29-11  
Date

Marcus D. Dunn  
Print Name

Signature

Date

Print Name

Signature

Date

Print Name

(See Instructions Below)

Printer Friendly Report

Page 1 of 1

[Print this report](#)

Corporation Details

Corporation Details		
Entity Number	2018072	
Business Name	OHIO ROCK INDUSTRIES, LTD.	
Filing Type	DOMESTIC LIMITED LIABILITY COMPANY	
Status	Active	
Original Filing Date	05/02/2011	
Expiry Date		
Location:	County:	State:
Agent / Registrant Information		
MARCUS D. DUNN 33 S. JAMES ROAD - 3RD FL COLUMBUS, OH 43213 Effective Date: 05/02/2011 Contact Status: Active		
Incorporator Information		
MARCUS D. DUNN		
Filings		
Filing Type	Date of Filing	Document Number/Image
ARTICLES OF ORGNZTN/DOM. PROFIT LIM. LIAB. CO.	05/02/2011	201112401346

GMR 048